

The Minneapolis morning tribune., Collection:The Minneapolis morning tribune (Minneapolis, Minn.) 1909-1930  
Minnesota Historical Society 345 Kellogg Blvd. W. St. Paul, MN 55102



## Careless Driver Held Guilty of an Assault

Excessive Speed of Auto Makes the Charge Valid, Court Rules.

## Manslaughter Verdict Against Iowa Driver Upheld by Supreme Court.

Autoists Must "Stop, Look, Listen" at Crossings, Is Ruling.

Two State Supreme Courts, one in New Jersey and the other in Iowa, handed down unique decisions affecting automobilists within the last month. Walter Schutte of Jersey City was recently convicted of assault and battery for running into and injuring Thomas Mitchell. A lower court turned in the verdict. Judge Garrison of the State Supreme Court, in supporting the decision, said:

"A criminal assault may be committed with an automobile driving along a public street at an excessive rate of speed that endangers the safety of other persons and actually results in such an injury."

Excessive Speed Product of WILL. It requires neither argument nor illustration to show that the excessive rate of speed at which an automobile is driven is a product of the will of the driver and not the result of his mere inattention or negligence. The two cannot be confused any more than the hurling of a baseball but into a crowd of spectators could be confused with its accidental slipping from the hands of the batter."

The State Supreme Court of Iowa, in considering the case of G. W. Blawie of Keokuk County, who was convicted of killing Charissa Harper, 18 months old, ratified the decision of the lower court, which sentenced Blawie to a term of not less than eight years in the Penitentiary for manslaughter. Drivers who kill persons in the public highway by reckless driving are legally liable for conviction for manslaughter, declared the court.

The testimony showed that Blawie went on after striking the child and did not offer to aid her. This, said the court, was a circumstance indicative of guilt on his part.

Driver Must Stop, Look, Listen. If the driver of a motor car does not "stop, look and listen" carefully before crossing a railroad crossing he cannot collect damages from the railway company if his machine is struck, virtually declared a Missouri court. An automobilist in that State recently sued a trolley company for damages. His motor truck had been damaged by a trolley car which was going at a speed of thirty miles an hour and not sounding the gong.

When about thirty-five feet away from the crossing the driver declared he looked for an approaching car, but saw none. As trees and shrubs interrupted his view of the crossing, he slowed down his twelve-mile an hour speed to a six-mile gait, and started across the track. He saw

nothing of the car until it struck his truck. In giving the decision the court declared that the railway company was not liable for damages. That as cars coming at a high rate of speed were common at that crossing, the driver should have made a further and more careful investigation. And that, furthermore, it was the duty of a driver to look and listen continuously until the crossing was reached.

## Democrats Seek Job of Senator From Minnesota

(Continued from Page 1.)

the support of the Republican contingent at Washington will be as important to the Republican candidate as the administration's support will be to the Democrats.

Why Minnesota is looked upon as one of the most crucial states in a fight for the control of the Senate, a fight which will rival in interest the Presidential struggle, is easily susceptible of analysis.

In the Senate, as it will convene next session, there are 56 Democrats, 39 Republicans and one Progressive. It will be seen that this gives the Democrats a lead over all others of sixteen Senators, and over the Republicans of seventeen Senators. This is a good lead, yet it would require a change of the Democratic majority into a minority of one. It is this kind of a fight which the Republicans plan to make and which the Democrats will combat.

The Senators whose terms expire in 1917 are as follows:

Democrats—Henry F. Ashurst, Arizona; Nathan P. Bryan, Florida; William E. Chilton, West Virginia; Charles A. Culberson, Texas; Gilbert M. Hitchcock, Nebraska; Charles F. Johnson, Maine; John W. Kern, Indiana; Luke Lea, Tennessee; James E. McMillan, New Jersey; Henry L. Myers, Montana; James A. O'Connor, New York; Key Pittman, Nevada; Allee Pomerene, Ohio; James A. Reed, Missouri; Claude A. Swanson, Virginia; John Sharp Williams, Mississippi.

Republicans—Thomas B. Catron, New Mexico; Moses E. Clapp, Minnesota; Clarence D. Clark, Wyoming; Henry A. DuPont, Delaware; Robert M. La Follette, Wisconsin; Harry F. Lippitt, Rhode Island; Henry Cabot Lodge, Massachusetts; Porter J. McCumber, North Dakota; George P. McLean, Connecticut; George T. Oliver, Pennsylvania; Carroll S. Page, Vermont; George Sutherland, Utah; Charles E. Townsend, Michigan; John D. Works, California.

Wisconsin Also Called Doubtful. In view of results in the last election, of the Republicans, Catron, Clark, DuPont, Lippitt, Lodge, McCumber, McLean, Oliver, Page, Sutherland, Townsend and Works appear to be certain of re-election or of being succeeded by Republicans. The Republican states that appear in doubt are Wisconsin and Minnesota. McCumber of North Dakota promises to have clean sailing.

Of the Democrats, Ashurst, Bryan, Culberson, Lea, Reed, Swanson and Williams appear certain of re-election or of Democratic successors. The Democrats also have a good chance of a Democratic Senator in Maryland. The Republicans have a good chance of electing Republican successors to Democratic Senators in West Virginia,

Nebraska, Maine, Indiana, New Jersey, Montana, New York, Nevada, and Ohio. They also have a chance to elect a Republican successor to Miles Poindexter, the lone Progressive in the Senate from Washington. This includes the ten chances, and they also have Minnesota and Wisconsin to go on.

Why Minnesota Is War Area. The fact that the Republicans will have to negotiate almost every chance makes the fight a difficult one for them, yet the possibility of their doing so, makes it necessary for the Democrats to meet every contingency. That is why Minnesota is to be made the battle ground for the control of the Senate. If the Democratic campaign managers can work out their plans. That is why Governor Hammond may be a candidate for the Senate and not for the governorship, two years hence.

Hen 30 Days Without Food. Columbus, Ind., April 11.—(Special.)—Prof. Virgil Wiley, a teacher in the Franklin High School, today found one of his Barred Rock hens, which he believed had been stolen. The hen was under a reservoir of a kitchen range, which had fallen over her and imprisoned here. For thirty days the hen was without food or water, yet she was alive when found.

## Minneapolis Wireless Club Boasts Four Girl Members

(Continued from Page 1.)

the wreck of the Titanic sent out by the Ealen were caught by members of the Minneapolis Wireless Club in their room in the City Hall. The Minnesota Club is a member of the Maxim Relay League, an association of wireless clubs which will make it possible for amateurs with limited sending outfits to relay messages from one end of the continent to the other. The club is also a correspondent of the London Radio Telegraphic Convention, formed for the purpose of studying the effect of atmospheric conditions on wireless transmission. A report is sent from the local club every night at 9 o'clock, and, with hundreds of others from all parts of the world, will be studied so that accurate data on weather in its relation to wireless telegraphy may be secured.

Boasts of Wireless Phone. The first practical wireless telephone in the Northwest, according to the former president, is the property of the club. With it a wireless conversation may be satisfactorily carried on for

a distance of over a mile. It is now in the home of James Cole. A time signal from the great Government station at Arlington, Va., is received every day.

Many members of the club correspond with technical magazines. One of the members, Philip Eelman, 22 years old, is the author of a 200 page book on the subject of wireless which has been published and now enjoys a wide sale throughout the country. Men prominent in radio work have addressed the club. Ford Graves, head of the Radio Department of the United States Government, and others from large Government or commercial stations have spoken to the members at various times.

In a combination automobile horn a single note is produced by pressing a bulb or a spring which pushing an electric button.

## "Huckleberry Finn" Is 90

Original of Mark Twain's Hero Tells How It Came About.

(Special to The Sunday Tribune.)—Portland, Ore., April 11.—B. F. Finn, the original "Huckleberry Finn" of Mark Twain's books, has just celebrated his ninetieth birthday at his ranch on the McKenzie River near here, and is hale and hearty.

He has a vivid recollection of Mark Twain, with whom he worked on the Mississippi steamboat, but says Twain really didn't get much from himself of what he wrote about Huckleberry Finn except the name.

"We called Clemens Charley in those days," said Finn. "He and I both worked on the steamer Shotwell run-

ning out of St. Louis. I was nicknamed 'Huckleberry' and Clemens seemed to take a fancy to the name. Tom Sawyer was my chum but I was well grown before Clemens knew me." Finn has lived on the McKenzie River here for forty years past, and seldom emerges from his retreat.

Former Congressman Calder Honored. (By United Press.)—New York, April 10.—Former Representative Calder, Republican leader of Brooklyn and unsuccessful candidate for Senator last fall, will be the guest of honor tonight at a dinner given by the Republican Club of New York City, in recognition of his ten years' service in Congress. Former Senator Root will be the principal speaker. Committeemen in charge of the affair are Representative Mott, formerly Secretary of War Simson and City Comptroller Prendergast.

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Sioux Falls, S. D.—Knapp, Brown & Co., 112 N. Main St.  
Watertown, S. D.—Pope-Wheelock Co.  
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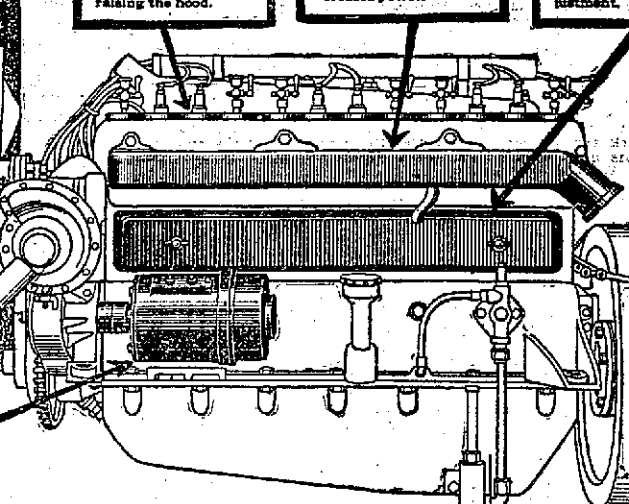
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